REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	28 August 2003
Name of applicant/court:	The District Court at Manukau
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Devil's Gang Bang 38
Other Known Title(s):	Optical disk Asian title - disk reference number NK3743
Director(s):	Not Stated In English
Producer(s):	Not Stated In English
Publisher:	Not Applicable
Author(s):	Not Applicable
Format:	VCD
Country of Origin:	Japan
Language(s):	Japanese

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Components of film originally examined:

Feature:	Devil's Gang Bang 38	Running Time:	55.59
Trailers:	Telephone Sex Notice	Running Time:	1.56
		Total Running Time:	57.55

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The VCD entitled *Devil's Gang Bang 38,* also known as *Optical disk Asian title - disk reference number NK3743* is classified as:
Objectionable.

The publication is objectionable because it promotes and supports the use of violence and coercion to compel persons to submit to sexual conduct.

The publication promotes and supports the use of violence and coercion to compel persons to participate in, or submit to, sexual conduct by presenting the violent and coercive treatment of a woman as acceptable behaviour. The material is clearly intended to be sexually arousing and, were it to be made available, would serve to suggest that it is appropriate, or even desirable, to treat women in this manner. There is no other purpose in the presentation of this material, and the manner in which this material is presented upholds the notion that sexual violence is an appropriate and legitimate stimulus for male fantasy and sexual stimulation.

The classification of the publication interferes with the freedom of expression, as outlined in s14 of the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos and Publications Classification Act 1993 be deemed objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote or support the use of violence or coercion to compel any person to participate in, or submit to, sexual conduct.

OFLC No: 301058